

07-O-1087

**A SUBSTITUTE ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ASSESS IVR, CREDIT CARD, AND ON-LINE PAYMENT USERS A CONVENIENCE FEE IN THE AMOUNT OF TWO DOLLARS AND FIFTY CENTS (\$2.50) ON BEHALF OF THE MUNICIPAL COURTS FOR PAYMENT OF ASSOCIATED USER FEES AND CONVENIENCE FEES TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS. FUNDS WILL BE DEPOSITED INTO 1001 (GENERAL FUND) 3499005 (CREDIT CARD CONVENIENCE FEE) 000002 (REVENUE ORG); AND FOR OTHER PURPOSES.**

**WHEREAS,** On February 19, 2007 the Atlanta City Council did adopt and on February 27, 2007 the Mayor did approve Ordinance Number 06-O-2600 which authorized the Chief Financial Officer to assess a \$4.50 convenience fee for each on-line credit card payment processed for parking, water and wastewater fees and permit fee paid with a Visa Card and to assess a 2.5% convenience fee for each online credit card payment processed for business tax and excise taxes that include hotel/motel, alcohol and car taxes paid with a Visa and MasterCard; and

**WHEREAS,** the Municipal Court also accepts Visa and MasterCard for payment of associated charges for fees, fines and services performed this department; and

**WHEREAS,** it is standard operating industry practice to recover the costs associated with the providing customers the convenience of online payment processing of payment received for services rendered by City departments and agencies; and

**WHEREAS,** the City currently incurs online payment costs by paying the associated convenience fee to third-party vendors; and

**WHEREAS,** The City seeks to recover the cost of validating and authorizing customer credit cards, IVR, and on-line payment services which averages to Two Dollars and Fifty Cents (\$2.50) per transaction; and

**WHEREAS,** each third party vendor may charge flat rate or the percentage rate used to compute the total amount due from the City to continue to process online payments.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, AS FOLLOWS:**

**Section 1:** That the Chief Financial Officer is hereby authorized to assess a \$2.50 customer credit card convenience fee for each IVR and on-line processed by a third party vendor for fees, fines, and other services performed by the Municipal Court System.

**Section 2:** That such funds shall be deposited into 1001 (General fund) 000002 (Revenue Org) 3499005 (Credit Card Convenience Fee).

**Section 3:** That all ordinances and parts of ordinances in conflict herewith are hereby waived to extent of the conflict.

**A SUBSITUTE ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**07-O-1087**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) ON CREDIT CARDS USERS, ON-LINE PAYMENT USERS, ELECTRONIC CHECK USERS, OR INTERACTIVE VOICE RESPONSE USERS SUBMITTING PAYMENTS FOR FEES AND/OR FINES IMPOSED BY THE CITY OF ATLANTA SUCH AS THOSE ASSOCIATED WITH TRAFFIC ENFORCEMENT AND WATER AND WASTEWATER CITY SERVICES; TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; ALL COLLECTED FUNDS WILL BE DEPOSITED INTO VARIOUS FUND ACCOUNT AND CENTER NUMBERS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") has provided persons seeking to pay fines or fees imposed by the City with the convenience of making payments utilizing electronic checks, debit or credit cards; and

**WHEREAS**, the City contracts with third-party vendors to validate electronic checks using the Automated Clearing House (ACH) system and other verification systems; and

**WHEREAS**, the City contracts with third-party vendors to utilize the convenient Interactive Voice Response (IVR) system and to provide confirmation of the validity of debit or credit card information provided by customers in processing payments; and

**WHEREAS**, the City has established a robust on-line payment program consisting of on-line payment services for parking tickets, water and wastewater charges, permit fees, excise taxes, and business licenses; and

**WHEREAS**, the City seeks to recover the cost of verifying, validating, and authorizing IVR payments, customer electronic checks, debit or credit cards payments; and

**WHEREAS**, pursuant to Section 2-105(a) of the City of Atlanta Code of Ordinances, the City Council shall not adopt an ordinance or resolution to establish a fee or increase the amount of an existing fee, until notice of the pending legislation is published in a newspaper of general circulation, and the appropriate standing committee of the City Council holds at least one public hearing regarding said legislation; and

**WHEREAS**, Visa does not allow a percentage based convenience fee for parking, water and wastewater, and permit fees but does allow a flat rate of \$4.50; and

**WHEREAS**, the City currently incurs costs by paying the associated convenience fees to third-party vendors.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows;**

**SECTION 1:**

That the Chief Financial Officer is authorized to impose a verification/convenience fee in the amount of Four Dollars And Fifty Cents (\$4.50) on Credit Cards Users, On-Line Payment Users, Electronic Check Users, or Interactive Voice Response Users submitting payments for fines or fees imposed by the City to recover the cost the city pays to third-party vendors to process such payments.

**SECTION 2:**

That the verification/convenience fee imposed shall be used to pay third-party vendors to validate electronic checks, credit cards and debit card payments using the Automated Clearing House (ACH) system, the Interactive Voice Response (IVR) system, and other convenience and/or verification systems to provide confirmation of the validity of the electronic check, debit or credit card information provided by customers.

**SECTION 3:**

That such funds shall be deposited to various fund account and center numbers designated for the deposit of the fee or fine imposed by the City.

**SECTION 4:** That all ordinances and parts of ordinance in conflict herewith are hereby waived to the extent of the conflict.

RCS# 1371  
8/20/07  
4:41 PM

Atlanta City Council

REGULAR SESSION

07-O-1087      AUTH.CFO TO ALLOW CITY TO IMPOSE \$4.50  
FEE ON CREDIT CARD USERS, ONLINE PAYERS  
REFER/FINANCE

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 2  
ABSENT 0

Y Smith	E Archibong	Y Moore	Y Mitchell
Y Hall	E Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

07-O-1087

CONDITION FOR APPROVAL FORM  
(TO ACCOMPANY LEGISLATION)

COMMITTEE: Finance / Spectrum

DATE: 8/1/7

ORDINANCE # 07-0-1087 RESOLUTION # \_\_\_\_\_

REQUESTED BY: Committee

DIRECTED TO: Administration

NATURE OF CONDITION FOR APPROVAL:

Advertiser change on Channel 26, Send to NPD + ADAB  
and do all things necessary to educate the public  
of the fee change and when the fee will be charged

WHEN IS THIS INFORMATION DUE, AND TO WHOM?

Prior to the 8/20/7 Full Council meeting to, All  
Council members

WILL THIS RESULT IN AN AMENDMENT TO THE LEGISLATION?

YES ( ) NO ( )

WILL THIS RESULT IN A SUBSTITUTE TO THE LEGISLATION?

YES ( ) NO ( )

HAS THIS INFORMATION BEEN RECEIVED? YES ( ) NO (X)

DATE OF RECEIPT: \_\_\_\_\_

**A SUBSITUTE ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**07-O-1087**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) ON CREDIT CARDS USERS, ON-LINE PAYMENT USERS, ELECTRONIC CHECK USERS, OR INTERACTIVE VOICE RESPONSE USERS SUBMITTING PAYMENTS FOR FEES AND/OR FINES IMPOSED BY THE CITY OF ATLANTA SUCH AS THOSE ASSOCIATED WITH TRAFFIC ENFORCEMENT AND WATER AND WASTEWATER CITY SERVICES; TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; ALL COLLECTED FUNDS WILL BE DEPOSITED INTO VARIOUS FUND ACCOUNT AND CENTERS.**

**WHEREAS**, the City of Atlanta ("City") has provided persons seeking to pay fines or fees imposed by the City with the convenience of making payments utilizing electronic checks, debit or credit cards; and

**WHEREAS**, the City contracts with third-party vendors to validate electronic checks using the Automated Clearing House (ACH) system and other verification systems; and

**WHEREAS**, the City contracts with third-party vendors to utilize the convenient Interactive Voice Response (IVR) system and to provide confirmation of the validity of debit or credit card information provided by customers in processing payments; and

**WHEREAS**, the City has established a robust on-line payment program consisting of on-line payment services for parking tickets, water and wastewater charges, permit fees, excise taxes, and business licenses; and

**WHEREAS**, the City seeks to recover the cost of verifying, validating, and authorizing IVR payments, customer electronic checks, debit or credit cards payments; and

**WHEREAS**, pursuant to Section 2-105(a) of the City of Atlanta Code of Ordinances, the City Council shall not adopt an ordinance or resolution to establish a fee or increase the amount of an existing fee, until notice of the pending legislation is published in a newspaper of general circulation, and the appropriate standing committee of the City Council holds at least one public hearing regarding said legislation; and

**WHEREAS**, Visa does not allow a percentage based convenience fee for parking, water and wastewater, and permit fees but does allow a flat rate of \$4.50; and

**WHEREAS**, the City currently incurs costs by paying the associated convenience fees to third-party vendors.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows;**

**SECTION 1:**

That the Chief Financial Officer is authorized to impose a verification/convenience fee in the amount of Four Dollars And Fifty Cents (\$4.50) on Credit Cards Users, On-Line Payment Users, Electronic Check Users, or Interactive Voice Response Users submitting payments for fines or fees imposed by the City to recover the cost the city pays to third-party vendors to process such payments.

**SECTION 2:**

That the verification/convenience fee imposed shall be used to pay third-party vendors to validate electronic checks, credit cards and debit card payments using the Automated Clearing House (ACH) system, the Interactive Voice Response (IVR) system, and other convenience and/or verification systems to provide confirmation of the validity of the electronic check, debit or credit card information provided by customers.

**SECTION 3:**

That such funds shall be deposited to various fund account and center numbers designated for the deposit of the fee or fine imposed by the City.

**SECTION 4:** That all ordinances and parts of ordinance in conflict herewith are hereby waived to the extent of the conflict.



AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE

07- 0 -1087

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) ON CREDIT CARDS USERS, ON-LINE PAYMENT USERS, ELECTRONIC CHECK USERS, SUBMITTING PAYMENTS FOR WATER AND WASTEWATER CITY SERVICES, TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; ALL COLLECTED FUNDS WILL BE DEPOSITED INTO FUND ACCOUNT AND CENTER NUMBER 2J01 (WATER AND WASTEWATER REVENUE FUND) 641307 (CREDIT CARD) B00001 (CONVENIENCE FEE); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") provides its customers with the convenience of making payments utilizing electronic checks, debit or credit cards; and

WHEREAS, the City contracts with third-party vendors to validate electronic checks using the Automated Clearing House (ACH) system and other verification systems; and

WHEREAS, the City contracts with third-party vendors to utilize the Interactive Voice Response (IVR) system and to provide confirmation of the validity of debit or credit card information provided by customers in processing payments; and

WHEREAS, the City has established a robust on-line payment program consisting of on-line payment services for parking tickets, water and wastewater charges, permit fees, excise taxes, and business licenses; and

WHEREAS, the City seeks to recover the cost of verifying, validating, and authorizing customer electronic checks, debit or credit cards payments; and

WHEREAS, pursuant to Section 2-105 (a) of the City of Atlanta Code of Ordinances, the City Council shall not adopt an ordinance or resolution to establish a fee or increase the amount of an existing fee, until notice of the pending legislation is published in a newspaper of general circulation, and the appropriate standing committee of the City Council holds at least one public hearing regarding said legislation; and

WHEREAS, Visa does not allow a percentage based convenience fee for parking, water and wastewater, and permit fees but does allow a flat rate of \$4.50; and

WHEREAS, the City currently incurs costs by paying the associated convenience fees to third-party vendors.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows;

**SECTION 1:**

That the Chief Financial Officer is authorized impose a convenience fee in the amount of Four Dollars And Fifty Cents (\$4.50) on Credit Cards Users, On-Line Payment Users, Electronic Check Users, submitting payments for water and wastewater city services to recover the cost the city pays to third-party vendors to process such payments.

**SECTION 2:**

That the fee imposed shall be used to pay third-party vendors to validate electronic checks, credit cards and debit card payments using the Automated Clearing House (ACH) system, the Interactive Voice Response (IVR) system, and other verification systems to provide confirmation of the validity of the electronic check, debit or credit card information provided by customers.

**SECTION 2:**

That such funds shall be deposited in the Fund Account and Center Number used to pay the costs associated with the acceptance of IVR payments, namely, 2J01 (Water and Wastewater) 641307 (Credit Card) B00001 (Convenience Fee).

**SECTION 3:** That all ordinances and parts of ordinance in conflict herewith are hereby waived to the extent of the conflict.

RCS# 1202  
6/04/07  
3:01 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 1  
ABSENT 2

Y Smith	B Archibong	Y Moore	Y Mitchell
NV Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	B Maddox	E Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II

Part II: Legislative White Paper:

**A. To be completed by Legislative Counsel:**

**Committee of Purview: Finance/Executive**

**Caption:**

**AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ASSESS INTERACTIVE VOICE RESPONSE USERS, IN MAKING PAYMENTS FOR WATER AND WASTEWATER CITY SERVICES, A CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; COLLECTED FUNDS WILL BE DEPOSITED INTO FUND ACCOUNT AND CENTER NUMBER 2J01 (WATER AND WASTEWATER REVENUE FUND) 641307 (CREDIT CARD) B00001 (CONVENIENCE FEE); AND FOR OTHER PURPOSES.**

**Council Meeting Date: May 21, 2007**

**Requesting Dept.: Department of Watershed Management**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

The purpose of this legislation is to recover the cost the city pays to the third-party vendor to process Credit card payment. On IVR payment users convenience fee in the amount of four dollars and fifty cents (4.50) for payment of associated user fee and convince fee.

**2. Please provide background information regarding this legislation.**

On 2/19/07, the City Council passed legislation and the Mayor approved on 2/27/07; to implement a convenience fee for Online Customers that make payments via Credit Card. As per the legislation, a flat rate of \$4.50 is to be applied for each online credit card transaction that is fee based i.e. water fee, permit fee, parking fee.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:**

**4. Fund Account Center:** 2J01 (Water and Wastewater) 641307 (Credit Card) B00001 (Convenience Fee)

**Fund:** \_\_\_\_\_ **Account:** \_\_\_\_\_ **Center:** \_\_\_\_\_

**5. Source of Funds:**

**6. Fiscal Impact:** The flat rate of \$4.50 will be applied for each online credit card transaction for IVR payment users to FAC 2J01 (Water and Wastewater) 641307 (Credit Card) B00001 (Convenience Fee),

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:** Elizabeth D' Agostino

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): M. Theresa Stewart

Contact Number: x6207

Originating Department: Department of Watershed Management

Committee(s) of Purview: Finance/Executive

Council Deadline: May 21, 2007

Anticipated Committee Meeting Date(s): May 29, 2007

Anticipated Full Council Date: Monday, June 4, 2007

Commissioner Signature

Robert J. Hunter scp

Chief Procurement Officer Signature

**CAPTION**

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A CONVENIENCE FEE IN THE AMOUNT OF FOUR DOLLARS AND FIFTY CENTS (\$4.50) ON CREDIT CARDS USERS, ON-LINE PAYMENT USERS, ELECTRONIC CHECK USERS, SUBMITTING PAYMENTS FOR WATER AND WASTEWATER CITY SERVICES, TO RECOVER THE COST THE CITY PAYS TO THIRD-PARTY VENDORS TO PROCESS SUCH PAYMENTS; ALL COLLECTED FUNDS WILL BE DEPOSITED INTO FUND ACCOUNT AND CENTER NUMBER 2J01 (WATER AND WASTEWATER REVENUE FUND) 641307 (CREDIT CARD) B00001 (CONVENIENCE FEE); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office: 5-15-07 Reviewed by: [Signature]  
(date) (date)

Submitted to Council: 5/21/07 (date)